



# TRANSMITTAL FORM

Application Serial Number	09 872,338
Filing Date	June 1, 2001
First Named Inventor	Gardner et al.
Group Art Unit	1645
Examiner Name	
Attorney Docket No.	CEL-004
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> 2 Checks Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input checked="" type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Response to Notice to File Missing Parts Application Data Sheet Formal Drawing Transmittal
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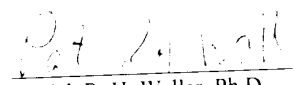
## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Date: October 3, 2001  
Reg. No. 41,418  
Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100

Respectfully submitted,

  
Patrick R. H. Waller, Ph.D.  
Agent for Applicant(s)  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110



**FEE TRANSMITTAL**  
**FY 2002**

*Complete if Known*

Application Serial Number	09 872,338
Filing Date	June 6, 2001
First Named Inventor	Gardner et al.
Group Art Unit	1645
Examiner Name	
Attorney Docket No.	CEL-004

**METHOD OF PAYMENT**

1. ☒ Payment Enclosed:  
☒ 2 Checks ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☒ Applicant claims small entity status.

**FEE CALCULATION**

**1. FILING FEE**

Large Entity Fee (\$)	Fee Description	Fee Paid
740	Utility filing fee	740.00
330	Design filing fee	
160	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	66	- 20 = 46	x \$ 18.00 =	828.00
Independent Claims	7	- 3 = 4	x \$ 84.00 =	336.00

☐ Multiple Dependent Claim(s), if any

= \$ 280.00 =

TOTAL: 1,904.00

SMALL ENTITY DISCOUNT: 952.00

SUBTOTAL (1) (\$ ) 952.00

**2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 84.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$280.00 =	

TOTAL: (\$ )

SMALL ENTITY DISCOUNT: (\$ )

SUBTOTAL (2) (\$ )

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	65.00
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1440	720	Extension for reply within fourth month	
1960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
740	370	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	

Other fee (Specify) \_\_\_\_\_

Other fee (Specify) \_\_\_\_\_

SUBTOTAL (3) (\$ ) 65.00

SUBTOTAL (1) 952.00

SUBTOTAL (2)

SUBTOTAL (3) 65.00

TOTAL (\$ ) 1,017.00

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:

Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower-125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

**SIGNATURE BLOCK**

Date: October 3, 2001  
Reg. No.: 41,418  
Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100

Respectfully submitted,

*Pat R. H. Wall*  
Patrick R. H. Wall, Ph.D.  
Agent for the Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower-125 High Street  
Boston, MA 02110




PATENT  
Attorney Docket No. CEL-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gardner et al.  
SERIAL NO.: 09 872,338 GROUP NO.: 1645  
FILING DATE: June 1, 2001 EXAMINER:  
TITLE: MULTI-STATE GENETIC OSCILLATOR

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this 3<sup>rd</sup> day of October, 2001.

  
Patrick R. H. Waller, Ph.D.

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Transmittal Form (1 pg.);  
Fee Transmittal Form (1 pg.);  
2 checks in the total amount of \$1,017.00;  
Response to Notice to File Missing Parts (2 pgs.);  
Application Data Sheet (2 pgs.);  
Copy of Notice to File Missing Parts (1 pg.);  
Declaration and Power of Attorney (3 pgs.);  
Formal Drawings (14 pgs.);  
Formal Drawings Transmittal (1 pg.); and  
Return Receipt Postcard.

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PATENT  
Attorney Docket No. CEL-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Gardner et al.	BATCH NO.:	
SERIAL NO.:	09 872.338	GROUP NO.:	1645
FILING DATE:	June 1, 2001	EXAMINER:	
TITLE:	MULTI-STATE GENETIC OSCILLATOR		

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL OF FORMAL DRAWINGS**


Sir:

Attached please find the formal drawing(s) for this application - Number of Sheets - 14.

Date: October 3, 2001  
Reg. No. 41,418

Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100

Respectfully submitted,

  
Patrick R. H. Waller, Ph.D.  
Agent for Applicant(s)  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110



PATENT  
Attorney Docket No. CEL-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gardner et al.  
SERIAL NO.: 09/872,338  
FILING DATE: June 1, 2001  
TITLE: MULTI-STATE GENETIC OSCILLATOR  
GROUP NO.: 1645  
EXAMINER:

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

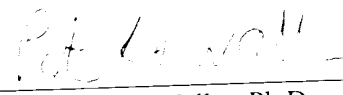
In response to a "Notice to File Missing Parts of Application" dated August 3, 2001, Applicants submit the following:

1. 2 checks in the total amount of \$1,017.00, including the following small entity fees: a statutory basic filing fee of \$370.00, a surcharge for \$65.00, and \$582.00 for additional claims,;
2. a copy of the "Notice to File Missing Parts of Application" (1 pg);
3. a Declaration and Power of Attorney for Utility or Design Patent Application (3 pgs);
4. Application Data Sheet (2 pgs.);
5. Formal Drawings (14 pgs);
6. Formal Drawing Transmittal (1 pg);
7. a Transmittal document (1 pg);
8. a Fee Transmittal document (1 pg);
9. Certificate of First Class Mailing (1 pg); and
10. a return receipt postcard.

Respectfully submitted,

Date: October 3, 2001  
Reg. No. 41,418

Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100

  
\_\_\_\_\_  
Patrick R. H. Waller, Ph.D.  
Agent for Applicant(s)  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20593  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09 872.338	06 01 2001	Timothy Gardner	CEL-004

021323  
TESTA, HURWITZ & THIBEAULT, LLP  
HIGH STREET TOWER  
125 HIGH STREET  
BOSTON, MA 02110



CONFIRMATION NO. 2890  
FORMALITIES LETTER



\*OC000000006382820\*

Date Mailed: 08/03/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$436.
  - \$396 for 46 total claims over 20.
  - \$40 for 4 independent claims over 3.
- The oath or declaration is missing.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- The balance due by applicant is \$ 436.

*A copy of this notice MUST be returned with the reply.*

N<sup>2</sup>  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

11/01/2001 MBELETED: 00000004 09872338

165.00 OF  
414.00 OF  
435.00 OF